



16601  
21 Jan 2005

From: Captain of the Port Houston-Galveston

To: Distribution

Subj: COTP POLICY ON SHIP CHANNEL OBSTRUCTIONS

Ref: (a) MSO Houston-Galveston ltr 16601 of 13 DEC 02

1. Reference (a) is hereby cancelled. Pursuant to Title 33, Code of Federal Regulations (CFR) Part 160, the Coast Guard is responsible for the safety of vessels and the associated port facilities which may be impacted by vessel congestion or other temporary hazardous circumstances. This policy letter outlines the requirements for operations that may obstruct or close ship channels within the Captain of the Port (COTP) Houston-Galveston zone<sup>1</sup>. With the large volume of vessel and facility activity in this area, many waterway users have conflicting interests that can disrupt normal vessel navigation patterns. In an attempt to manage these conflicts, an organization known as the Port Coordination Team (PCT) was established. The committee consists of representatives of key stakeholders that operate or have significant maritime-related interests in the COTP Houston-Galveston zone. Enclosure (1) includes a current list of PCT members and their contact numbers. This enclosure will be maintained by the Operations Officer, Vessel Traffic Service Houston/Galveston.

2. A channel obstruction application process has been created to facilitate awareness of operations that may impact the safety of vessels within this zone. Anyone proposing to conduct maritime operations that may interrupt navigation on a ship channel within the COTP Houston-Galveston Area of Responsibility must submit a Channel Obstruction Application to the U.S. Coast Guard. Applications may be submitted via the internet at <http://www.uscg.mil/d8/vts/houston-galveston/customerinfopage.htm> or by fax to the appropriate PCT members. Applications are included as enclosures (2) and (3) to this policy letter. Electronically submitted forms are automatically forwarded to the appropriate members. Applications submitted by fax must be distributed to the appropriate PCT members listed in enclosure (1). There are two categories of channel obstructions and applicants should review these categories carefully prior to submitting an application.

a. **Category I** obstructions are those operations which significantly impact, or have the potential to impact, vessel navigation and whose impact cannot be completely mitigated by unilateral traffic management measures imposed by the Coast Guard. Non-self propelled vessel movements (e.g., dead ship transits, offshore rig maneuvers), maritime

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<sup>1</sup> COTP Houston-Galveston zone is managed by MSO Houston-Galveston and MSU Galveston.

operations (e.g., power line installations, pipeline construction, more-extensive and intrusive dredging operations) or vessels with larger than normal physical dimensions (length, beam or draft) are all examples as they are strictly limited to the confines of the channel. These evolutions are such that other vessel traffic encountering the obstruction must transit outside the channel or permit the vessel to pass prior to entering the channel. A Category I obstruction may also be in the form of a moving closure or a stationary closure. To facilitate the safe and orderly movement or management of this category of obstruction, the Coast Guard will institute traffic management measures<sup>2</sup>(e.g., Safety zones, COTP orders, VTS traffic measures).

- i. Given the impact Category I obstructions have on the waterways, it is anticipated that the Coast Guard (i.e., COTP) will receive feedback (e.g., objections, concerns, additional information) from the major user groups (e.g., Pilot Associations, brown-water fleet interests, various maritime entities). Therefore, in order to better balance the competing needs of maritime commerce, advance notification and planning is paramount. This necessitates submitting an application for a Category I obstruction at least four (4) business days in advance of the planned operation. If it is reasonably anticipated that a Safety Zone will be implemented by the Coast Guard to accommodate this operation, applicants are encouraged to make every effort to submit an application well in advance of the required four business day notice to permit greater orchestration amongst PCT members. On rare exceptions, a proposal may be considered with less than four business days advance notice, but only if a consensus is first obtained from the impacted PCT members (e.g., Pilots). In either case, the COTP, barring an emergency, will not normally approve an application unless consensus is received from the PCT.
- ii. The PCT will notify the applicant and the Coast Guard if the segment of the maritime community they represent has any problems or concerns with the proposed operation. If the applicant and the COTP do not receive a reply from a member of the PCT within two (2) days of the application's submittal, the applicant and the COTP may assume that the PCT member has no objection to the applicant's request and the operation may be scheduled as proposed. It is the applicant's responsibility to address, and if possible, resolve any issues or concerns expressed by PCT members, or the channel users they represent, prior to obtaining final review of the operation by the Coast Guard. In situations where consensus cannot be met, the COTP will make a final determination weighing overall impacts on safety and navigation within the port.
- iii. It is recognized that the vagaries of weather, unanticipated delays associated with just-in-time processes and the potential for lapses in communications between clients may result in delays of these obstructions. In the event an operation is delayed due to unforeseen circumstances, the application-notice requirement shall not be reset for the delayed operation. However, the applicant must communicate with the impacted parties in order to ensure that the schedules or operations of

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<sup>2</sup> The Coast Guard reserves the right to choose the most appropriate traffic measure; however, the COTP will give due consideration to input received from the applicant during the course of the approval process.

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other maritime interests are not jeopardized by the re-scheduled event. This would include sufficient notice (e.g., 12-24 hours) to permit parties to adapt to the re-scheduled operation. Rescheduled operations will be memorialized using the electronic mail application process that culminates in an e-mail approval from the COTP. The Coast Guard reserves the right to require a re-submission of the application in accordance with the four business day notice requirement if an applicant has not acted in good faith or failed to coordinate the delayed movement with impacted mariners.

b. **Category II** obstructions are operations that are not completely limited to the confines of the channel and have a marginal impact on vessel navigation (e.g., majority of the ports' rig movements, heavy lift evolutions, roll-on-roll-off operations). Category II obstructions are by their very nature short-notice undertakings and limited in duration. Hence, this category of obstruction is more maneuverable and can be secured in a more timely fashion. Accordingly, a person submitting notice of a Category II operation shall have the ability to move the operation or terminate it altogether within 1 hour after notification from the Vessel Traffic Service or the COTP. Nevertheless, in the interest of safety, Coast Guard-imposed traffic management measures (e.g., meeting/overtaking criteria, – generally “advisory” in nature) will be implemented to reduce potential conflicts and be included in the application response.

- i. Although far less obtrusive to waterway users, Category II obstructions do require a moderate level of coordination, necessitating an application submission of at least twenty-four (24) hours in advance of the planned operation. The applicant is encouraged to submit suggested traffic-management measures (e.g., minimum safe speed and distance while meeting or overtaking) within the application for consideration by the COTP.
- ii. The COTP will then reply to the notification by either concurring with the Category II submission or direct the applicant to resubmit as a Category I operation if the obstruction is too obtrusive. If an applicant is in doubt, he or she should err on the side of submitting a Category I application.

3. For further information regarding this policy, contact Marine Safety Office Houston-Galveston at (713) 671-5111, Marine Safety Unit Galveston at (409) 766-5400 or Vessel Traffic Service Houston/Galveston at (713) 671-5155.

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Captain of the Port Houston-Galveston

Encl: (1) PCT Membership  
(2) Category I Obstruction Application  
(3) Category II Obstruction Application

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Dist: Vessel Traffic Service Houston/Galveston  
Marine Safety Unit Galveston  
Local Shipping Agents  
Unit Newsletter  
Unit COTP Policy File  
HOGANSAC members  
Port Coordination Team members